

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION**

---

**In Re:**

**JOHN MALONE**

**Debtor**

)  
)  
)  
)  
)  
)  
)

**Chapter 13  
Case No. 24-10885-CJP**

---

**DEBTORS' SUPPLEMENTAL MEMORANDUM IN SUPPORT OF HIS MOTION TO FILE  
LATE HIS RESPONSE TO THE TRUSTEE'S MOTION TO DISMISS  
(Doc. #31)**

Now comes John Malone, ("Debtor") by and through undersigned, who herein respectfully files the instant Supplemental Memorandum to comply with this Court's Order August 05, 2024 Order (Doc. #62), to Support his previous Response (Doc. #58) to the Chapter 13 Trustee's Motion to Dismiss case (Doc. #31).

The Debtor Responds by stating that:

1. Undersigned was tasked with conducting significant due diligence to ensure that there was no other source of income, to comply with the Trustee's identification of this issue at Doc. #31, #4, which unfortunately took much longer than expected due to certain issues involved with his current residence.
2. Undersigned also was unsure whether Doc. #50 (Motion to Dismiss) superseded Document.#31

3. Additionally, undersigned had a family medical issue arise during the first week of July, where relatives from the middle east were supposed to visit for ten (10) days, however due to a medical issue, this visit became a thirty-one (31) day stay that required follow up medical visits, which undersigned was tasked with driving responsibilities. This situation unfortunately significantly diminished undersigned's availability.

Undersigned sincerely apologizes for the delayed response to the Trustee's Motion to Dismiss (Doc. #31), and respectfully prays for the Court's understanding for said late response.

Respectfully submitted

Attorney for the Debtor  
/s/ Glenn F. Russell, Jr.

Glenn F. Russell, Jr.

BBO# 656914

38 Rock Street, Suite #12

Fall River, MA 02720

(888) 400-9318

russ45eq@gmail.com

#### CERTIFICATE OF SERVICE

I, Glenn F. Russell, Jr., do hereby certify that on the 12<sup>th</sup> day of August 2024, I served the Debtors' Supplemental Memorandum to his Motion to file Response Late to the Chapter 13 Trustee's Motion to Dismiss case (Doc. #31), , to the following parties via electronic mail and submission to the ECF System, and/or by USPS postage prepaid to the following:.

***Assistant U.S. Trustee***

**John Fitzgerald**

Office of the US Trustee

J.W. McCormack Post Office & Courthouse

5 Post Office Sq., 10th Fl, Suite 1000

Boston, MA 02109

***Trustee***

Carolyn Bankowski

Ch 13-12 Trustee Boston

P. O. Box 8250

Boston, MA 02114  
617-723-1313

Jason J. Giguere, Esq.  
Orlans PC Attorneys for Federal Home Loan Mortgage  
Corporation, as Trustee for the benefit of the Freddie Mac  
Seasoned Credit Risk Transfer Trust, Series 2020-1  
PO Box 540540  
Waltham, MA 02454

Marcus E. Pratt, Esquire  
Korde & Associates, P.C. 900 Chelmsford Street, Suite  
3102 Lowell, MA 01851 Attorneys for  
The Bank of New York Mellon FKA The Bank of New  
York, as successor Trustee to JPMorgan Chase Bank,  
N.A., as Trustee on behalf of the Certificateholders of the  
CWHEQ Inc., CWHEQ Revolving Home Equity Loan  
Trust, Series 2005-F

**Boston Water and Sewer Commission**

P.O. Box 55466  
Boston, MA 02205

**City of Boston Real Estate Tax**

CITY OF BOSTON, BOX 55808  
Boston, MA 02205

**City of Boston Real Estate Tax**

CITY OF BOSTON, BOX 55808  
Boston, MA 02205

**Discover Bank**

2479 Edison Blvd, Unity A  
Twinsburg, OH 44087-234

**Discover Bank**

2479 Edison Blvd, Unity A  
Twinsburg, OH 44087-234

**Fed Home Loan Mortgage Corp as Trustee**

26 Savin Hill Ave  
Dorchester, MA 02125

**National Grid**

P.O. Box 371338  
Pittsburgh, PA 15250-7338

**National Grid**

P.O. Box 371338

Pittsburgh, PA 15250-7338

**Specialized Loan Servicing, LLC**

Specialized Loan Servicing LLC

P.O. Box 636005

Littleton, CO 80163-6005

**The Bank of NY Mellon Indenture Trustee**

c/o Bank of America, N.A.

475 Cross Point Pkwy PO Box 9000

Getzville, NY 14068-9000

/s/ Glenn F. Russell, Jr.

Glenn F. Russell, Jr.